

रजिस्टर्ड नं० पी० ६७



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, सोमवार, १७ फरवरी, १९६९/२८ माघ, १८९०

GOVERNMENT OF HIMACHAL PRADESH

LAW DEPARTMENT

NOTIFICATION

Simla-2, the 13th January, 1969

No. 6-70/68-LR.—The Himachal Pradesh Forest (Sale of Timber) Bill, 1968 (Bill No. 26 of 1968) after having received the assent of the President on

the 12th November, 1968, under sub-section (2) of section 25 of the Government of Union Territories Act, 1963 (Act No. 20 of 1963) is hereby published in the Rajpatra, Himachal Pradesh as Act No. 18 of 1968.

JOSEPH DINA NATH,
Under Secretary (Jud.).

ACT No. 18 of 1968

THE HIMACHAL PRADESH FOREST (SALE OF TIMBER)
ACT, 1968

AN
ACT

to provide for the control of the sale of timber and establishment of sale depots for such timber in Himachal Pradesh.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Nineteenth year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh Forest (Sale of Timber) Act, 1968.

Short title,
extent and
commence-
ment.

(2) It shall extend to the whole of Himachal Pradesh.

(3) It shall come into force at once.

2. (1) In this Act, unless the context otherwise requires,—

Definitions.

(a) "Official Gazette" means the Rajpatra, Himachal Pradesh; and

(b) "State Government" means the Government of Himachal Pradesh.

16 of 1927

(2) Words and expressions used, but not defined, in this Act and defined in the Indian Forest Act, 1927, shall have the meanings, respectively, assigned to them in that Act.

3. (1) The State Government may, by notification in the Official Gazette, make rules to regulate the sale of timber and the establishment of sale depots for such timber.

Power to
make rules,
regulating
sale of tim-
ber and the
establish-
ment of sale
depots,

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may,—

(a) prescribe the classes of timber to which the rules shall apply;

(b) define what shall be deemed to be a sale depot;

(c) provide for the establishment, registration, regulation and inspection of the depots, and the levy of fees for registration; prescribe the period for which registration shall hold good and the conditions under which timber may be brought to, stored at, and removed from, sale depots; and prohibit the sale of timber at or the establishment or maintenance of unregistered sale depots;

(d) regulate the use of sale depot marks and the registration of such marks; prescribe the time for which registration shall hold good; and provide for the levy of fees for registration;

(e) prescribe the registers to be maintained at sale depots and provide for the production of such registers before and for their examination by any forest officer authorised in this behalf by the divisional forest officer;

(f) prescribe, as penalties for the infringement of any rule made under this section, imprisonment which may extend to six months, or fine which may extend to five hundred rupees, or both. Double penalties may be inflicted where the offence is committed after sunset and before sunrise, or after preparation for resistance to lawful authority or if the offender has been previously convicted of a like offence.

(3) All rules made under this section shall be so made after previous publication in the Official Gazette.

(4) All rules made under this Act shall be laid before the Legislative Assembly as soon as may be after they are made.

16 of 1927

4. The provisions of chapter IX of the Indian Forest Act, 1927, with the exception of section 68, shall apply, so far as may be, to any infringement of the rules made under this Act as if such infringement were a forest offence under the Indian Forest Act, 1927.

Application
of chapter
IX of Indian
Forest Act,
1927.

16 of 1927

Indemnity
for acts done
in good
faith.
Repeal and
savings.

5. No suit shall lie against any public servant for anything done by him in good faith under this Act.

6. The following Acts are hereby repealed:—

- (1) the Punjab Forest (Sale of Timber) Act, 1913, as applicable to the areas merged with Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966; and 3 of 1913 31 of 1966
- (2) the Punjab Forest (Sale of Timber) Act, 1913, as applicable to the district of Bilaspur by the Bilaspur (Application of Laws) Order, 1949: 3 of 1913

Provided that anything done, or any action taken or proceedings commenced or continued under the Acts hereby repealed shall be deemed to have been done, taken, commenced or continued under the corresponding provisions of this Act.